

## **REMARKS**

This is in response to the Office Communication mailed March 31, 2008. Applicants have amended the claims to replace "methylene urea derivatives" with "a compound." Following standard claiming practice, the term "a compound" includes one or more compounds. Further, applicants have amended the claims to conform with standard U.S. claim language. Applicants have also amended certain claims with regard to antecedent basis language. Support for the amendments to the claims is found throughout specification.

### **Restriction and Election of Species Requirement**

In the Office Communication mailed March 31, 2008, the Examiner has required that applicants elect a single Group of claims for examination from Groups I-VI. Applicants provisionally elect Group I, with traverse. Applicants reasons for traverse are discussed below. The Examiner has further required applicants to make an election of species from the elected Group. Applicants elect compound 439 shown on page 161 of the specification. Applicants note that upon a finding that the elected species is allowable, the Examiner is required to search additional species.

### **Reasons for Traverse**

Applicants traverse the Restriction Requirement, with regard to claims 7-12, being restricted from Group I, first because a search of these additional claims in addition to the claims of Group I would not place an undue burden on the Examiner. Second, claims 7-12 are directed to pharmaceutical compositions and medicaments comprising the compound of claim 1 of Group I. Under the Unity of Invention requirements of PCT Rule 13.1 these claims should be included in the same grouping as the compound claims.

Applicants traverse the Restriction Requirement, with regard to method claims 26-30 and use claims 13-25, first because a search of these additional claims in addition to the claims of Group I would not place an undue burden on the Examiner. Second, under *In re Ochiai*,

applicants request that these claims be rejoined to the claims of Group I upon a finding that claims in Group I are deemed allowable.

**Use Claims**

The Examiner states that claims 7-9, 13-25, 28 and 29 are drawn to nonstatutory subject matter since they are drafted in terms of use. Applicants respectfully note that claims 7-9, 28 and 29 are not use claims. With regard to use claims 13-25, applicants note that these claims are subject to rejoinder, as discussed above and applicants will amend these use claims to be in proper method claim format prior to such rejoinder.

**Conclusion**

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below to expedite prosecution.

Respectfully submitted,

By



Ronald J. Kamis, Reg. No. 41,104  
Baker & Daniels LLP  
805 15<sup>th</sup> Street, N.W., Suite 700  
Washington, D.C. 20005  
Telephone: (202) 312-7029  
Facsimile: (202) 312-7441